

**PUBLIC NOTICE
OF INTENT TO PROPOSE OR PROMULGATE
NEW OR CHANGED AGENCY RULES**

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the new issue of the state Administrative Bulletin.

IDAPA 02 - IDAHO DEPARTMENT OF AGRICULTURE

P.O. Box 790, Boise, ID 83701-0790

Docket No. **02-0104-9701**, Environmental Audit Protection Rules. Complies with the amendments to the Environmental Audit Protection Act, enacted by HB 862. Comment By: January 22, 1997.

Docket No. **02-0616-9701**, Rules Concerning Rhizomania Disease Of Sugar Beets, Beta Vulgaris. This rule is being repealed in its entirety. Comment By: January 22, 1997.

Docket No. **02-0618-9701**, Rules Governing Mint Rootstock And Clone Production. Redefines "infested area" as "commercial production area;" reclassifies regulated pests and establishes tolerances and remedies when detected; removes mandatory field inspections in "infested area" of Idaho; and defines "field." Requires Department to mark sampling sites in each field, notify growers of confirmed pest and disease infestations, and provide Idaho Mint Commission with copies of transfer permits issued to mint growers. Eliminates fall and winter digging inspections and sets production standards for greenhouse production of mint clones. Comment By: January 22, 1997.

IDAPA 16 - IDAHO DEPARTMENT OF HEALTH AND WELFARE

P.O. Box 83720, Boise, Idaho 83720-0036

Docket No. **16-0301-9701**, Aid to Families with Dependent Children (AFDC). Limits AFDC cash assistance and AFDC related Medicaid to certain aliens, Comment By: January 22, 1996.

Docket No. **16-0304-9701**, Food Stamp Program. Changes definition of homeless person and eliminates homelessness as a category for expedited services; changes time limit for acting on expedited applications; limits alien eligibility; limits eligibility, imposes penalties, and minimum sanction periods for noncompliance with work related requirements; makes fugitive felons and probation/parole violators ineligible; changes household member earning exclusion age limit; makes certain vendor payments countable income; eliminates homeless shelter deduction; allows households to switch between standard utility deduction and actual costs at certification; changes the shelter deduction cap; redefines an initial month for all but exempt households; permits agency to disallow earned income deduction in specific cases and reduce allotments for administrative error claims for certain households; changes intentional program violation penalties; changes penalty for the first incident of Food Stamp trafficking, imposes permanent disqualification for convictions of trafficking in benefits of \$500 or more, and a 10 year disqualification for making a fraudulent statement to get multiple benefits; and Department must make available to any law enforcement officer the address, social security number and photograph of a Food Stamp recipient who is fleeing to avoid prosecution, custody or confinement for a felony, violating parole or probation, or who has information necessary for the officer to conduct an official duty related to a felony/parole violation. Comment By: January 22, 1997.

Docket No. **16-0305-9701**, Eligibility for Aid for the Aged, Blind, and Disabled (AABD). Limits AABD cash assistance and Medicaid to certain aliens; shortens time period for deeming income and resources to aliens; adds income deeming exclusion for increased value of burial funds; increases income limit and payments; extends the time-limit for an approved plan to achieve self support; increases the Home and Community Based Services income limit; provides that Medicaid cannot be denied to eligible individuals claiming residence in more than one state and for fugitive felons; limits monthly amount placed in exempt income trust to private cost of nursing home care; provides that trust payments are not asset transfers; and others. Comment By: January 22, 1997.

Docket No. **16-0309-9701**, Medical Assistance. Clarifies when pre-authorized, non-cosmetic reconstructive surgery will be covered, specifically breast reconstruction after a mastectomy. Comment By: January 22, 1997.

Docket No. **16-0309-9702**, Medical Assistance. Expands counseling and training services for certain patients with newly diagnosed or uncontrolled diabetes. Comment By: January 22, 1997.

Docket No. **16-0309-9703**, Medical Assistance. Adds definition of medical necessity for Medicaid coverage. Comment By: January 22, 1997.

Docket No. **16-0309-9704**, Medical Assistance. Clarifies transportation coverage and the preauthorization process for Medicaid providers and recipients; provides reconsideration review process of denied payments to providers; implements a less restrictive definition of medical necessity and incorporate the requirements for ambulances and ambulance services as described in IDAPA 16.02.03. Comment By: January 22, 1997.

Docket No. **16-0309-9705**, Medical Assistance. Allows Department to purchase plastic single vision and bifocal lenses without the restriction of diopter measurements and tinted and contact lenses for extreme medical conditions; allows recipient to choose trifocal lenses when cost difference is paid. Comment By: January 22, 1997.

Docket No. **16-0609-9701**, Family Self Support Program. Changes where non-paid work experience sites can be developed and where participants can be placed to include the private for-profit sector; increases number of hours a cash assistance recipient can be required to participate in a non-paid work experience site; eliminates conciliation process for food stamp recipients for non-compliance; and changes termination of work and training sanctions for food stamp recipients. Comment By: January 22, 1997.

IDAPA 26 - IDAHO DEPARTMENT OF PARKS AND RECREATION P.O. Box 83720, Boise, ID 83720-0010

Docket No. **16-0120-9701**, Administration of Park and Recreation Areas and Facilities. Changes and adds definitions; reflects that IDPR personnel have limited law enforcement authority outside of department operated facilities; changes campsite occupancy provisions; addresses rules for department operated marine facilities, overnight boat mooring, and boat camping; allows park personnel to set fees for goods and services and a collection surcharge; increases cost of a developed campsite; eliminates Idaho resident senior citizen and disabled discount and replaces it with low income discount; increases motorized vehicle entry fees at five most used parks and fees for annual state park passports; increase water slide ride fees at Eagle Island; allows for rental charge for yurts and cabins within department facilities; increases returned check surcharge; rearranges group use facility fees; department facilities that do not charge an MVEF will add a boat launching fee and mooring fee; adds fee for use of department operated RV dump stations by non park users; reservation changes made for individual campers; and other minor housekeeping changes. Comment By: January 24, 1997.

Docket No. **26-0138-9701**, Administration of State Trust for Outdoor Recreation Enhancement (STORE) and Recreation and Energy Conservation Pathways (RECP) Program. Provides for the definition of terms; establishes the allocation of STORE and RECP funds; sets forth eligibility requirements for applicants; establishes project time limitations; sets out eligibility criteria and matching share requirements; addresses requirements for the acquisition of real property and structures; establishes the funding cycle and related application time requirements; sets out the process for selecting projects; establishes procedures for disbursing grant funds; requires sponsors have control and tenure over property to be developed with grant assistance; provides for project changes, cost increases, and time extensions; prohibits conversion of grant assisted projects from outdoor recreation use without prior approval of the park and recreation board; sets out requirements for management of grant assisted projects; and mandates compliance with applicable federal statutory requirements. Comment By: January 24, 1997.

IDAPA 39 - IDAHO DEPARTMENT OF TRANSPORTATION P.O. Box 7129, Boise, Idaho 83707

Docket No. **39-0117-9701**, Oversize Permits for Manufactured Homes, Modular Buildings and Office Trailers. Allow home manufacturers to tow 16' wide homes on their own axles and incorporates safety factors for the traveling public. Comment By: January 22, 1997.

Docket No. **39-0360-9701**, Outdoor Advertising. Ensures the safety of the traveling public in and around interchange control areas by prohibiting the erection of signs that create visual distractions. Comment By: January 22, 1997.

Please refer to the Idaho Administrative Bulletin, **January 1, 1997, Volume 97-1** for notices and text of all rule-makings, public hearing schedules, governor's executives orders, and agency contact names.

Citizens of your county can view all issues of the Idaho Administrative Bulletin at the county law libraries.

Copies of the Administrative Bulletin and other rules publications are available for purchase. For subscription information and ordering call (208) 334-3577 or write the Office of the Administrative Rules Coordinator, Department of Administration, 700 W. State St., 4th Floor, Boise, Idaho 83720. Visa and Mastercard accepted.

The Idaho Administrative Bulletin and Administrative Code are now available on the Internet at the following address: **<http://www.state.id.us/>** - from the Home Page select State Government Agencies, find Department of Administration, then Rules of the State of Idaho.